

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICHOLAS MARTIN on behalf of himself and others similarly situated, Plaintiff,)	
)	1:10-cv-3494
)	
v.)	Judge Dow
)	
)	Magistrate Judge Geraldine Soat Brown
CCH, INCORPORATED,)	
Defendant.)	

**PLAINTIFF'S UNOPPOSED MOTION FOR PRELIMINARY
APPROVAL OF CLASS SETTLEMENT**

Plaintiff respectfully requests that the Court preliminarily approve the proposed class action settlement more fully described in the accompanying Memorandum, Settlement Agreement and other attachments. Plaintiff has confirmed that defendant does not oppose this motion. In support of this motion, Plaintiff states:

1. This is a Telephone Consumer Protection Act, 47 U.S.C. §227(b) case alleging that the defendant used its predictive dialer and a prerecorded message to deliver unsolicited prerecorded advertisements.
2. Through arms-length negotiations, assisted by the mediation efforts of the Honorable Wayne Andersen (ret.), the parties have reached a class action settlement. The agreement generally provides a \$2,000,000 settlement fund for the benefit of 18,024 class members.
3. The memorandum accompanying this motion more fully describes the settlement and the appended ancillary agreements, including the proposed class notice, and draft preliminary and final approval orders. The memorandum also provides Plaintiff's arguments in

support of preliminary approval of the settlement, approval of the notice plan, and certification of the class for settlement.

WHEREFORE, the Plaintiff respectfully requests that the Court preliminarily approve the class action settlement, review and approve the proposed agreed notice plan and certify the class for settlement.

Respectfully submitted,

/s/ Alexander H. Burke

Alexander H. Burke

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Dated: October 15, 2012

CERTIFICATE OF SERVICE

I, Gary Klein, hereby certify that on this 15th day of October, 2012, this document was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic File (NEF) and electronic copies will be sent by email to those indicated as non-registered participants.

/s/ Gary Klein

Gary Klein